

CHAPTER 41
LICENSURE OF CHIROPRACTIC PHYSICIANS

[Prior to 7/24/02, see 645—40.10(151) to 645—40.13(151), 645—40.15(151) and 645—40.16(151)]

645—41.1(151) Definitions. The following definitions shall be applicable to the rules of the Iowa board of chiropractic examiners:

“*Board*” means the Iowa board of chiropractic examiners.

“*Council on Chiropractic Education*” or “*CCE*” means the organization that establishes the Educational Standards of Chiropractic Colleges and Bylaws. A copy of the standards may be requested from the Council on Chiropractic Education. CCE’s address and Web site may be obtained from the board’s Web site at <http://www.idph.state.ia.us/licensure>.

“*Department*” means the Iowa department of public health.

“*Lapsed license*” means a license that a person has failed to renew as required, or the license of a person who failed to meet stated obligations for renewal within a stated time.

“*License*” means license to practice chiropractic in Iowa.

“*Licensee*” means any person licensed to practice as a chiropractic physician in Iowa.

“*License expiration date*” means June 30 of even-numbered years.

“*Licensure by endorsement*” means the issuance of an Iowa license to practice chiropractic to an applicant who is currently licensed in another state and meets the criteria for licensure in this state.

“*Mandatory training*” means training on identifying and reporting child abuse or dependent adult abuse required of chiropractic physicians who are mandatory reporters. The full requirements on mandatory reporting of child abuse and the training requirements are found in Iowa Code section 232.69. The full requirements on mandatory reporting of dependent adult abuse and the training requirements are found in Iowa Code section 235B.16.

“*NBCE*” means the National Board of Chiropractic Examiners. The mailing address and Web site address may be obtained from the board’s Web site at <http://www.idph.state.ia.us/licensure>.

“*Reciprocal license*” means the issuance of an Iowa license to practice chiropractic to an applicant who is currently licensed in another state that has a mutual agreement with the Iowa board of chiropractic examiners to license persons who have the same or similar qualifications to those required in Iowa.

“*SPEC*” means Special Purposes Examination for Chiropractic, which is an examination provided by the NBCE that is designed specifically for utilization by state or foreign licensing agencies.

645—41.2(151) Requirements for licensure.

41.2(1) The following criteria shall apply to licensure:

a. An applicant shall complete a board-approved application form. Application forms may be obtained from the board’s Web site (<http://www.idph.state.ia.us/licensure>) or directly from the Board of Chiropractic Examiners, Professional Licensure Division, Fifth Floor, Lucas State Office Building, Des Moines, Iowa 50319-0075.

b. An applicant shall complete the application form according to the instructions contained in the application. If the application is not completed according to the instructions, the application will not be reviewed by the board.

c. An applicant shall submit the appropriate fee payable by check or money order to the Iowa Board of Chiropractic Examiners. The fee is nonrefundable.

d. No applicant shall be considered for licensure until official copies of academic transcripts are received by the board directly from a chiropractic school accredited by the CCE and approved by the board. The transcript must display the date of graduation and the degree conferred.

e. An applicant shall submit an official certificate of completion of 120 hours of physiotherapy from a board-approved chiropractic college. The physiotherapy course must include a practicum component.

f. An applicant shall pass all parts of the NBCE examination as outlined in 645—41.3(151).
g. An applicant shall submit one passport-size photograph of the applicant taken within the previous six months.

h. An applicant shall submit a copy of the chiropractic diploma (no larger than 8½" × 11") from a chiropractic school accredited by the CCE and approved by the board.

41.2(2) Licensees who were issued their licenses within six months prior to the renewal date shall not be required to renew their licenses until the renewal date two years later.

41.2(3) Incomplete applications that have been on file in the board office for more than two years shall be:

- a. Considered invalid and shall be destroyed; or
- b. Maintained upon written request of the candidate. The candidate is responsible for requesting that the file be maintained.

41.2(4) Persons licensed to practice chiropractic shall keep their license publicly displayed in the primary place of practice.

41.2(5) Licensees are required to notify the board of chiropractic examiners of changes in residence or place of practice within 30 days after the change of address occurs.

645—41.3(151) Examination requirements.

41.3(1) Applicants shall submit the application for the NBCE examination and the fee directly to the NBCE.

41.3(2) The following criteria shall apply for the NBCE:

- a. Prior to July 1, 1973, applicants shall provide proof of being issued a basic science certificate.
- b. After July 1, 1973, applicants shall provide proof of successful completion of the required examination from the National Board of Chiropractic Examiners. The required examination shall meet the following criteria:

(1) Examinations completed after July 1, 1973, shall be defined as the successful completion of Parts I and II of the NBCE examination.

(2) Examinations completed after August 1, 1976, shall be defined as the successful completion of Parts I, II and Physiotherapy of the NBCE examination.

(3) Examinations completed after January 1, 1987, shall be defined as the successful completion of Parts I, II, III and Physiotherapy of the NBCE examination.

(4) Examinations completed after January 1, 1996, shall be defined as satisfactory completion of Parts I, II, III, IV and Physiotherapy of the NBCE examination.

645—41.4(151) Educational qualifications.

41.4(1) An applicant for licensure to practice as a chiropractic physician shall present an official transcript verifying graduation from a board-approved college of chiropractic.

41.4(2) Foreign-trained chiropractic physicians shall:

a. Provide an equivalency evaluation of their educational credentials by the International Educational Research Foundations, Inc., Credentials Evaluation Service, P.O. Box 3665, Culver City, California 90231-3665, telephone (310)258-9451, Web site www.ierf.org or E-mail at info@ierf.org. The professional curriculum must be equivalent to that stated in these rules. A candidate shall bear the expense of the curriculum evaluation.

b. Provide a notarized copy of the certificate or diploma awarded to the applicant from a chiropractic program in the country in which the applicant was educated.

c. Receive a final determination from the board regarding the application for licensure.

645—41.5(151) Temporary certificate.

41.5(1) The board may issue a temporary certificate to practice chiropractic if the issuance is in the public interest. A temporary certificate may be issued at the discretion of the board to an applicant who demonstrates a need for the temporary certificate and meets the professional qualifications for licensure.

41.5(2) Demonstrated need. An applicant must establish that a need exists for the issuance of a temporary license and that the need serves the public interest. An applicant may meet the demonstrated need requirement by proving that the need meets one of the following conditions:

- a. The applicant will provide chiropractic services in connection with a special activity, event or program conducted in this state;
- b. The applicant will provide chiropractic services in connection with a state emergency as proclaimed by the governor;
- c. The applicant previously held an unrestricted license to practice chiropractic in this state and will provide gratuitous chiropractic services as a voluntary public service; or
- d. The applicant will provide chiropractic services during a disability or long-term illness of an Iowa-licensed chiropractic physician.

The temporary certificate shall be issued only for conditions stated in paragraphs “a” through “d.”

41.5(3) Professional qualifications. The applicant shall:

- a. Submit the board-approved application form. Applications may be obtained from the board’s Web site (<http://www.idph.state.ia.us/licensure>) or directly from the Board of Chiropractic Examiners, Professional Licensure Division, Fifth Floor, Lucas State Office Building, Des Moines, Iowa 50319-0075.
- b. Provide verification of current active licensure in the United States sent directly to the board office from the state in which the applicant is licensed.
- c. Submit proof of two years of full-time chiropractic practice within the immediately preceding two years.
- d. Provide a copy of a chiropractic diploma (no larger than 8½”× 11”) from a chiropractic school accredited by the CCE and approved by the board.
- e. Submit the temporary certificate fee.
- f. Submit information explaining the demonstrated need, the scope of practice requested by the applicant, and why a temporary certificate should be granted.

41.5(4) If the application is approved by the board, a temporary certificate shall be issued authorizing the applicant to practice chiropractic for one year to fulfill the demonstrated need for temporary licensure, as stated on the application and described in subrule 41.5(2).

41.5(5) An applicant or temporary certificate holder who has been denied a temporary certificate may appeal the denial pursuant to rule 41.11(17A,151,272C). A temporary certificate holder is subject to discipline for any grounds for which licensee discipline may be imposed.

41.5(6) Cancellation of a temporary certificate shall be effective three days after the mailing of the notice of cancellation by registered mail.

645—41.6(151) Licensure by endorsement.

41.6(1) An applicant who has been licensed to practice chiropractic under the laws of another jurisdiction shall file an application for licensure by endorsement with the board office.

41.6(2) The board may receive by endorsement any applicant from the District of Columbia or another state, territory, province or foreign country who:

- a. Submits to the board a completed application;
- b. Pays the licensure fee;
- c. Provides a notarized copy of the diploma (no larger than 8½”× 11”) along with an official copy of the transcript from a board-approved chiropractic school sent directly from the school to the board office;

d. Shows evidence of successful completion of the examination of the National Board of Chiropractic Examiners as outlined in 645—41.3(151);

e. Provides verification of license(s) from every state of the United States in which the applicant has practiced and from the District of Columbia, which shall be sent directly from the state(s) to the board office; and

f. Holds or has held a current license and provides evidence of one of the following requirements:

(1) Completion of 60 hours of board-approved continuing education during the immediately preceding two-year period as long as the applicant had an active practice within the last five years; or

(2) Practice as a licensed chiropractic physician for a minimum of one year during the immediately preceding two-year period; or

(3) The equivalent of one year as a full-time faculty member teaching chiropractic in an accredited chiropractic college for at least one of the immediately preceding two years; or

(4) Graduation from a board-approved chiropractic college within the immediately preceding two years from the date the application is received in the board office.

g. If the applicant does not meet the requirements of paragraph 41.6(2) “*f*,” the applicant shall submit the following:

(1) Evidence of satisfactory completion of 60 hours of board-approved continuing education during the immediately preceding two-year period; and

(2) Evidence of successful completion of the SPEC examination within one year prior to receipt of the application in the board office.

645—41.7(151) Licensure by reciprocal agreement. The board may enter into a reciprocal agreement with the District of Columbia or any state, territory, province or foreign country with equal or similar requirements for licensure of chiropractic physicians.

645—41.8(151) License renewal.

41.8(1) The biennial license renewal period for a license to practice chiropractic shall begin on July 1 of an even-numbered year and end on June 30 of the next even-numbered year. The board shall notify the licensee at the address on record at least 60 days prior to expiration of the license. Failure to receive the renewal application shall not relieve the license holder of the obligation to pay the biennial renewal fees on or before the renewal date.

41.8(2) An individual who was issued an initial license within six months of the license renewal date will not be required to renew the license until the subsequent renewal two years later.

41.8(3) A licensee shall:

a. Meet the continuing education requirements of rule 645—44.2(272C) and the mandatory reporting requirements of subrule 41.8(4); and

b. Submit the completed renewal application, continuing education report form and renewal fee before the license expiration date.

41.8(4) Mandatory reporter training requirements.

a. A licensee who, in the scope of professional practice or in the licensee’s employment responsibilities, examines, attends, counsels or treats children in Iowa shall indicate on the renewal application completion of two hours of training in child abuse identification and reporting in the previous five years or condition(s) for waiver of this requirement as identified in paragraph “*e*.”

b. A licensee who, in the course of employment, examines, attends, counsels or treats adults in Iowa shall indicate on the renewal application completion of two hours of training in dependent adult abuse identification and reporting in the previous five years or condition(s) for waiver of this requirement as identified in paragraph “*e*.”

c. A licensee who, in the scope of professional practice or in the course of employment, examines, attends, counsels, or treats both adults and children in Iowa shall indicate on the renewal application completion of training in abuse identification and reporting for dependent adults and children in the previous five years of condition(s) for waiver of this requirement as identified in paragraph “e.”

Training may be completed through separate courses as identified in paragraphs “a” and “b” or in one combined two-hour course that includes curricula for identifying and reporting child abuse and dependent adult abuse. The course shall be a curriculum approved by the Iowa department of public health abuse education review panel.

d. The licensee shall maintain written documentation for five years after mandatory training as identified in paragraphs “a” to “c,” including program date(s), content, duration, and proof of participation.

e. The requirement for mandatory training for identifying and reporting child and dependent adult abuse shall be suspended if the board determines that suspension is in the public interest or that a person at the time of license renewal:

(1) Is engaged in active duty in the military service of this state or the United States.

(2) Holds a current waiver by the board based on evidence of significant hardship in complying with training requirements, including an exemption of continuing education requirements or extension of time in which to fulfill requirements due to a physical or mental disability or illness as identified in 645—Chapter 44.

f. The board may select licensees for audit of compliance with the requirements in paragraphs “a” to “e.”

41.8(5) When all requirements for license renewal are met, the licensee shall be sent a wallet card by regular mail.

41.8(6) A person licensed to practice as a chiropractic physician shall keep the license certificate and wallet card(s) displayed in a conspicuous public place at the primary site of practice.

41.8(7) Late renewal. The license shall become late when the license has not been renewed by the expiration date on the wallet card. The licensee shall be assessed a late fee as specified in 645—subrule 46.1(4). To renew a late license, the licensee shall complete the renewal requirements and submit the late fee within 30 days following the expiration date on the wallet card.

645—41.9(272C) Exemptions for inactive practitioners.

41.9(1) A licensee who is not engaged in practice in the state of Iowa may be granted an exemption of compliance and obtain a certificate of exemption upon written application to the board. The application shall contain a statement that the applicant will not engage in practice in the state of Iowa without first complying with all regulations governing reinstatement after exemption. The application for a certificate of exemption shall be submitted upon the form provided by the board. A licensee must hold a current license to apply for exempt status. The licensee shall apply for inactive status prior to the license expiration date.

41.9(2) Reinstatement of exempted inactive practitioners. Inactive practitioners who have requested and been granted an exemption of compliance with the renewal requirements and who have obtained a certificate of exemption shall, prior to engaging in the practice of the profession in Iowa, satisfy the requirements for reinstatement as outlined in 645—44.10(272C).

41.9(3) Licensees shall renew at the scheduled renewal. Licensees who were issued their reinstatement within six months prior to the renewal date shall not be required to renew their licenses until the renewal date two years later.

41.9(4) A new licensee who is on inactive status during the initial license renewal time period and reinstates before the first license expiration date will not be required to complete continuing education for that first license renewal time period only. Sixty hours of continuing education will be required for every renewal thereafter.

41.9(5) Verifications of license(s) are required from all states in which the licensee has practiced since the Iowa license became inactive.

41.9(6) Reinstatement of inactive license after exemption. The following chart illustrates the requirements for reinstatement based on the length of time a license has been inactive.

An applicant shall satisfy the following requirements:	30 days after expiration date up to 1 biennium	2 bienniums	3 or more bienniums
Submit written application for reinstatement to the board	Required	Required	Required
Pay the current renewal fee	\$100	\$100	\$100
Pay the reinstatement fee	\$50	\$50	\$50
Submit verification(s) from every state in the United States and the District of Columbia in which the licensee has practiced since obtaining inactive status	Required	Required	Required
Furnish evidence of completion of board-approved continuing education hours during the period since the license became inactive OR Furnish evidence of verification of current active licensure in the United States and completion of the continuing education requirement in the state in which the applicant is licensed	60 hours May be completed	120 hours May be completed	180 hours May be completed
Furnish evidence of successful completion of the SPEC examination if the applicant does not have a current license and has not been in active practice in the United States during the past five years	N/A	Successful completion of examination required if applicant has not been in active practice for five years	Successful completion of examination required if applicant has not been in active practice for five years
Total fees and continuing education hours required for reinstatement:	\$150 and 60 hours	\$150 and 120 hours	\$150 and 180 hours

645—41.10(272C) Lapsed licenses.

41.10(1) If the renewal fees and continuing education report are received more than 30 days after the license expiration date, the license is lapsed. An application for reinstatement must be filed with the board accompanied by the reinstatement fee, the renewal fee(s) for each biennium the license is lapsed and the late fee for failure to renew before expiration. The licensee may be subject to an audit of the licensee's continuing education report.

41.10(2) Licensees who have not fulfilled the requirements for license renewal or for an exemption in the required time frame will have a lapsed license and shall not engage in the practice of chiropractic. Practicing without a license may be cause for disciplinary action.

41.10(3) To reinstate a lapsed license, licensees shall comply with all requirements for reinstatement as outlined in 645—44.6(272C).

41.10(4) After the reinstatement of a lapsed license, the licensee shall renew at the next scheduled renewal cycle and complete the continuing education required for the biennium.

41.10(5) Verification(s) of license(s) is required from every state in the United States and the District of Columbia in which the licensee has practiced since the Iowa license lapsed.

41.10(6) Reinstatement of a lapsed license. The following chart illustrates the requirements for reinstatement based on the length of time a license has lapsed.

An applicant shall satisfy the following requirements:	30 days after expiration date up to 1 biennium	2 bienniums	3 bienniums	4 bienniums	5 or more bienniums
Submit written application for reinstatement	Required	Required	Required	Required	Required
Pay the renewal fee(s)	\$100	\$200	\$300	\$400	\$500
Pay the late fee	\$50	\$50	\$50	\$50	\$50
Pay the reinstatement fee	\$50	\$50	\$50	\$50	\$50
Submit verification(s) from every state in the United States and the District of Columbia in which the licensee has practiced since the Iowa license lapsed	Required	Required	Required	Required	Required
Furnish evidence of completion of approved continuing education hours during the period since the license lapsed OR Furnish evidence of verification of current active licensure in the United States and completion of the continuing education requirement in the state in which the applicant is licensed	60 hours May be completed	120 hours May be completed	180 hours May be completed	180 hours May be completed	180 hours May be completed
Furnish evidence of successful completion of the SPEC examination if the applicant does not have a current license and has not been in active practice in the United States during the past five years	N/A	Successful completion of examination required if applicant has not been in active practice for five years	Successful completion of examination required if applicant has not been in active practice for five years	Successful completion of examination required if applicant has not been in active practice for five years	Successful completion of examination required if applicant has not been in active practice for five years
Total fees and continuing education hours required for reinstatement:	\$200 and 60 hours	\$300 and 120 hours	\$400 and 180 hours	\$500 and 180 hours	\$600 and 180 hours

645—41.11(147) Duplicate certificate or wallet card.

41.11(1) A duplicate wallet card or duplicate certificate shall be required if the current wallet card or certificate is lost, stolen or destroyed. A duplicate wallet card or a duplicate certificate shall be issued only under such circumstances.

41.11(2) A duplicate wallet card or duplicate certificate shall be issued upon receipt of the completed application for duplicate license and payment of the fee as specified in rule 645—46.1(151).

41.11(3) If the board receives a completed application for duplicate license stating that the wallet card or certificate was not received within 60 days after being mailed by the board, no fee shall be required for issuing the duplicate wallet card or duplicate certificate.

645—41.12(147) Reissued certificate or wallet card. The board shall reissue a certificate or current wallet card upon receipt of a written request from the licensee, return of the original document and payment of the fee as specified in rule 645—46.1(151).

645—41.13(17A,151,272C) License denial.

41.13(1) An applicant who has been denied licensure by the board may appeal the denial and request a hearing on the issues related to the licensure denial by serving a notice of appeal and request for hearing upon the board not more than 30 days following the date of mailing of the notification of licensure denial to the applicant. The request for hearing as outlined in these rules shall specifically describe the facts to be contested and determined at the hearing.

41.13(2) If an applicant who has been denied licensure by the board appeals the licensure denial and requests a hearing pursuant to this rule, the hearing and subsequent procedures shall be held pursuant to the process outlined in Iowa Code chapters 17A and 272C.

These rules are intended to implement Iowa Code chapters 17A, 147, 151 and 272C.

[Filed 7/3/02, Notice 5/1/02—published 7/24/02, effective 8/28/02]

[Filed 3/24/04, Notice 2/4/04—published 4/14/04, effective 5/19/04]